

VACATION

Declaratory
Improvement Res. No. 907-1955

Which provides for the vacation
of certain streets and alleys in
connection with the Fort Wayne
Grade Crossing Elimination
Project with the New York,
Chicago and St. Louis Railroad.

Resolution Adopted:

Feb. 3, 1955

Confirmed:

March 10, 1955

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Comfirmed:

April 7, 1955

907

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of certain streets and alleys in connection with the Fort Wayne Grade Crossing Elimination Project with the New York, Chicago and St. Louis Railroad.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate certain streets and alleys in connection with the Fort Wayne Grade Crossing Elimination Project with the New York, Chicago and St. Louis Railroad more particularly described on attached sheets.

(H.T.)

PARCEL NO. 1 to PARCEL NO. 8, inclusive

All as shown by a plan of such proposed ~~Opening~~ Vacation ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: New York, Chicago and St. Louis Railroad right-of-way.

~~All lots and lands~~

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by ^{SAY} above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplemental thereof.

The vacation of the above described Streets ~~and alleys~~ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacations are situated in the South one-half of Section 2, Township 30 North, Range 12 East and wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 3rd DAY OF February, 19 55.

Attest: *J. A. Haller*
Secretary Board of Public Works.

Frank R. Ross
Wm. M. Sterling
Board of Public Works.

PARCEL NO. 1

For the vacation of Greeley Street from the west property line of Fulton Street to the west property line of Lot No. 2, Reed's Addition to the City of Fort Wayne, Indiana.

PARCEL NO. 2

For the vacation of Greeley Street from the west property line of Fairfield Avenue to the east property line of Fulton Street.

PARCEL NO. 3

For the vacation of a portion of Webster Street described as follows:

Beginning at a point which is the intersection of the Westerly line of Webster Street, sixty-six (66) feet wide as now established, and the Southerly line of Greeley Street, now vacated;

Thence North eleven degrees, forty-eight minutes, four and six tenths seconds ($11^{\circ} 48' 04.6''$) West along the said Westerly line of Webster Street, a distance of one hundred fifty-six and seventy-four one-hundredths (156.74) feet to a point;

Thence Northeasterly across Webster Street, a distance of Sixty-six and sixty-four one-hundredths (66.64) feet to a point in the Easterly line of Webster Street that is twenty-five and thirteen one-hundredths (25.13) feet Northerly from the Southwest corner of Sublot No. 6 in Block 3 of Ewings Addition to the City of Fort Wayne, the same being measured along the said Easterly line of Webster Street;

Thence South eleven degrees, forty-eight minutes, four and six tenths seconds ($11^{\circ} 48' 04.6''$) East along the said Easterly line of Webster Street, a distance of one hundred fifty-five and fifty-five one-hundredths (155.55) feet to a point in the Southerly line of Greeley Street;

Thence South sixty-nine degrees, fifteen minutes, eleven and six tenths seconds ($69^{\circ} 15' 11.6''$) West, a distance of sixty-six and eight-one one-hundredths (66.81) feet to the point of beginning; containing an area of ten thousand, three hundred six (10,306) square feet of land, be the same more or less.

PARCEL NO. 4

For the vacation of a portion of the first alley north of vacated Greeley Street running west of Webster Street described as follows:

Beginning at a point in the Southerly line of an alley fourteen (14) feet wide as now established, which is one hundred one and ninety-eight one-hundredths (101.98) feet Easterly from the Easterly line of Ewing Street, the same being measured along said Southerly line of Alley;

Thence North seventy-eight degrees, twenty-one minutes, forty-five and eight tenths seconds ($78^{\circ} 21' 45.8''$) East along said Southerly line of Alley, a distance of two hundred eight and two one-hundredths (208.02) feet to an intersection with the Westerly line of Webster Street, sixty-six (66) feet wide but now being vacated, said intersection being the Northeast corner of Sublot No. 12 in Block 4 of Ewing's Addition to the City of Fort Wayne, Indiana;

PARCEL NO. 4 (Cont.)

Thence North eleven degrees, forty-eight minutes, four and six tenths seconds ($11^{\circ}48'04.6''$) West across said Alley, a distance of fourteen (14) feet to the Southeast corner of Sublot No. 1 in Block 4 of Ewing's Addition to the City of Fort Wayne, Indiana;

Thence Southwesterly, parallel to the first course herein described, along the Northerly line of said Alley, a distance of one hundred ten and sixty-one one-hundredths (110.61) feet, to a point that is ninety-nine and thirty-nine one-hundredths (99.39) feet Easterly from the Southwest corner of Sublot No. 4 in Block 4 of Ewing's Addition to the City of Fort Wayne, Indiana, the same being measured along the said Northerly line of said Alley;

Thence Southwesterly across said Alley, a distance of ninety-eight and forty-one one-hundredths (98.41) feet to the point of beginning; containing an area of two thousand two hundred and thirty (2,230) square feet of land, be the same more or less.

PARCEL NO. 5

For the vacation of the first alley south of Superior Street from the east property line of Webster Street to its eastern terminus.

PARCEL NO. 6

For the vacation of the first alley west of Harrison Street from its southern terminus which is the north right-of-way line of the New York, Chicago and St. Louis Railroad Co., to the north property line of Lot No. 2, Mary E. Trentman et al Sub. to the City of Fort Wayne, Indiana.

PARCEL NO. 7

For the vacation of the first alley east of Harrison Street from its southern terminus which is the north right-of-way line of the New York, Chicago and St. Louis Railroad Co. to a point 23 feet north.

PARCEL NO. 8

For the vacation of a portion of Greeley Street from the east property line of Webster Street to its eastern terminus.

All parcels described are as shown on attached drawing.

28

PETITION

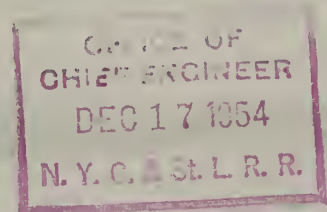
NICKEL PLATE ROAD

THE NEW YORK, CHICAGO AND ST. LOUIS RAILROAD COMPANY
CLEVELAND 1, OHIO

H. F. WHITMORE,
CHIEF ENGINEER
C. R. WRIGHT,
ASST. CHIEF ENGINEER
R. L. MAYS,
ASST. TO CHIEF ENGINEER

R. T. BLEWITT,
BRIDGE ENGINEER
W. E. CORNELL,
ENGINEER OF TRACK

Board of Public Works
City of Fort Wayne
Fort Wayne, Indiana



Gentlemen:

Pursuant to appropriate action taken by the City of Fort Wayne, the County of Allen, the State of Indiana, and The New York, Chicago and St. Louis Railroad Company, hereinafter called "Nickel Plate", in accordance with an Agreement dated December 30, 1947, as amended by Supplemental Agreement dated July 6, 1953, arrangements are being completed for accomplishing the elimination of existing grade crossings of the main tracks and facilities of Nickel Plate at the intersections of Fairfield Avenue - Ewing Street, Harrison Street, Calhoun Street, Clinton Street, Lafayette Street, Columbia and Clay Streets, in the City of Fort Wayne, Indiana.

In order to permit the accomplishment of the Fort Wayne Grade crossing elimination project, it will be necessary to vacate those portions of the streets and alleys, all situate in the City of Fort Wayne, Allen County, and State of Indiana, located between Van Buren and Calhoun Streets, as shown outlined in red on the attached approved print of plan, file No. 371.23, dated September 3, 1954 and last revised December 6, 1954, and designated as follows:

- o.k. specified objection R.Y.A. No*
- "Parcel No. 1" - Greeley Street, west of Fulton Street;
 - "Parcel No. 2" - Greeley Street, between Fulton and Fairfield Streets;
 - "Parcel No. 3" - Webster Street, north of right of way;
 - "Parcel No. 4" - Alley, west of Webster Street;
 - "Parcel No. 5" - Alley, east of Webster Street;
 - "Parcel No. 6" - First alley west and parallel to Harrison Street;
 - "Parcel No. 7" - Alley, between Lot 565 of Hanna's Addition and Lot 17 of Original Plat;
 - "Parcel No. 8" - Greeley Street, east of Webster Street.

Board of Public Works
City of Fort Wayne

- 2 -

Therefore, pursuant to SECTION THREE of said Agreement dated December 30, 1947, as amended by ARTICLE FOUR of said Supplemental Agreement, it is hereby request by the undersigned, with the approval of the City Engineer of the City of Fort Wayne, Indiana, that those portions of the streets and alleys located between Van Buren and Calhoun Streets, as described in the attached legal descriptions for said Parcels Nos. 1 - 8 inclusive, and as shown outlined in red on the attached approved print of plan, be vacated at this time.

Very truly yours,

THE NEW YORK, CHICAGO AND ST.
LOUIS RAILROAD COMPANY

By

H. F. Whitman
Chief Engineer

*fnw:
24*

PARCEL NO. 1 (GREELEY STREET)

Beginning at a point in the Northerly line of Greeley Street, twenty-two (22) feet wide at this location, which is also the Southwest corner of Sublot No. 2 in Reed's Addition to the City of Fort Wayne;

Thence North sixty-nine degrees, forty-seven minutes, fifty-eight and three tenths seconds ($69^{\circ} 47' 58.3''$) East along the said Northerly line of Greeley Street, and Southerly line of said Sublot No. 2, a distance of forty-seven and ninety-eight one-hundredths (47.98) feet to an angle point in said Northerly line of Greeley Street, said angle point being the Southwest corner of Sublot No. 4 in Feichter's Addition to the City of Fort Wayne, and is marked by an iron pin;

Thence North fifty-three degrees, fourteen minutes, four and four tenths seconds ($53^{\circ} 14' 04.4''$) East, along the said Northerly line of Greeley Street and Southerly line of said Sublot No. 4, a distance of thirty-seven and eighty-five one-hundredths (37.85) feet to the Southeast corner of said Sublot No. 4, the same being marked by an iron pin;

Thence North sixty-eight degrees, nine minutes, thirteen and four tenths seconds ($68^{\circ} 09' 13.4''$) East, along said Northerly line of Greeley Street and Southerly line of Sublots Nos. 4 to 1 inclusive of Feichter's Addition to the City of Fort Wayne, and continuing along the Northerly line of Greeley Street and Southerly line of Sublots Nos. 29 to 24 inclusive, of McCulloch's Homestead Addition to the City of Fort Wayne, a distance of three hundred and ninety-four (394) feet to an angle point in the Westerly line of Fulton Street, fifty (50) feet wide at this location;

Thence Southwesterly along the Westerly line of Fulton Street, a distance of forty-seven and seventy-five one-hundredths (47.75) feet to an angle point in said Westerly line of Fulton Street, sixty-six (66) feet wide at this location, but now being vacated, said point being marked by an iron pin;

Thence South sixty-nine degrees, twenty-six minutes, twenty and four tenths seconds ($69^{\circ} 26' 20.4''$) West along the Southerly line of Greeley Street, a distance of four hundred fifty-six and three one-hundredths (456.03) feet to a point;

Thence North twenty degrees, fourteen minutes, nineteen and three tenths seconds ($20^{\circ} 14' 19.3''$) West, a distance of twenty-two (22) feet to the point of beginning; containing an area of sixteen thousand, eight hundred and twenty (16,820) square feet of land, be the same more or less.

PARCEL NO. 2 (GREELEY STREET)

Beginning at a point in the Easterly line of Fulton Street, fifty (50) feet wide at this location, but now being vacated, which is also the Southwest corner of Sublot No. 7 in Block 6 of Ewing's Addition to the City of Fort Wayne, said point being marked by an iron pin;

Thence North seventy degrees, ten minutes, three and six tenths seconds ($70^{\circ}10'03.6''$) East, along the Southerly line of Sublots Nos. 7 to 12 inclusive, in Block 6 of Ewing's Addition to the City of Fort Wayne, a distance of three hundred thirteen and fifty-one one-hundredths (313.51) feet to a point in the Westerly line of Fairfield Avenue, sixty-six (66) feet wide, said point being marked by an iron pin and being the Southeast corner of said Sublot No. 12 in Block 6 of Ewing's Addition to the City of Fort Wayne;

Thence South eleven degrees, forty-three minutes, twelve and four tenths seconds ($11^{\circ}43'12.4''$) East, along the said Westerly line of Fairfield Avenue, a distance of forty-three (43) feet to a point in the Southerly line of Greeley Street, said point being marked by an iron pin;

Thence South seventy degrees, three minutes, twenty-nine and seven tenths seconds ($70^{\circ}03'29.7''$) West along the said Southerly line of Greeley Street, a distance of three hundred thirteen and fifty-seven one-hundredths (313.57) feet to a point in the said Easterly line of Fulton Street now being vacated, said point being marked by an iron pin;

Thence Northerly along said Easterly line of Fulton Street, a distance of forty-two and six tenths (42.6) feet to the point of beginning; containing an area of thirteen thousand two hundred and ten (13,210) square feet of land, be the same more or less.

PARCEL NO. 3 (WEBSTER STREET)

Beginning at a point which is the intersection of the Westerly line of Webster Street, sixty-six (66) feet wide as now established, and the Southerly line of Greeley Street, now vacated;

Thence North eleven degrees, forty-eight minutes, four and six tenths seconds ($11^{\circ} 48' 04.6''$) West along the said Westerly line of Webster Street, a distance of one hundred fifty-six and seventy-four one-hundredths (156.74) feet to a point;

Thence Northeasterly across Webster Street, a distance of sixty-six and sixty-four one-hundredths (66.64) feet to a point in the Easterly line of Webster Street that is twenty-five and thirteen one-hundredths (25.13) feet Northerly from the Southwest corner of Sublot No. 6 in Block 3 of Ewings Addition to the City of Fort Wayne, the same being measured along the said Easterly line of Webster Street;

Thence South eleven degrees, forty-eight minutes, four and six tenths seconds ($11^{\circ} 48' 04.6''$) East along the said Easterly line of Webster Street, a distance of one hundred fifty-five and fifty-five one-hundredths (155.55) feet to a point in the Southerly line of Greeley Street;

Thence South sixty-nine degrees, fifteen minutes, eleven and six tenths seconds ($69^{\circ} 15' 11.6''$) West, a distance of sixty-six and eighty-one one-hundredths (66.81) feet to the poing of beginning; containing an area of ten thousand, three hundred six (10,306) square feet of land, be the same more or less.

PARCEL NO. 4

(PART OF ALLEY WEST OF WEBSTER STREET)

Beginning at a point in the Southerly line of an alley fourteen (14) feet wide as now established, which is one hundred one and ninety-eight one-hundredths (101.98) feet Easterly from the Easterly line of Ewing Street, the same being measured along said Southerly line of Alley;

Thence North seventy-eight degrees, twenty-one minutes, forty-five and eight tenths seconds ($78^{\circ}21'45.8''$) East along said Southerly line of Alley, a distance of two hundred eight and two one-hundredths (208.02) feet to an intersection with the Westerly line of Webster Street, sixty-six (66) feet wide but now being vacated, said intersection being the Northeast corner of Sublot No. 12 in Block 4 of Ewing's Addition to the City of Fort Wayne;

Thence North eleven degrees, forty-eight minutes, four and six tenths seconds ($11^{\circ}48'04.6''$) West across said Alley, a distance of fourteen (14) feet to the Southeast corner of Sublot No. 1 in Block 4 of Ewing's Addition to the City of Fort Wayne;

Thence Southwesterly, parallel to the first course herein described, along the Northerly line of said Alley, a distance of one hundred ten and sixty-one one-hundredths (110.61) feet, to a point that is ninety-nine and thirty-nine one-hundredths (99.39) feet Easterly from the Southwest corner of Sublot No. 4 in Block 4 of Ewing's Addition to the City of Fort Wayne, the same being measured along the said Northerly line of said Alley;

Thence Southwesterly across said Alley, a distance of ninety-eight and forty-one one-hundredths (98.41) feet to the point of beginning; containing an area of two thousand two hundred and thirty (2,230) square feet of land, be the same more or less.

PARCEL NO. 5

(PART OF ALLEY EAST OF WEBSTER STREET)

Beginning at a point which is the intersection of the Easterly line of Webster Street now being vacated, and the Southerly line of an Alley fourteen (14) feet wide as now established, said point being also the Northwest corner of Sublot No. 7 in Block 3 of Ewing's Addition to the City of Fort Wayne;

Thence North seventy-eight degrees, twenty-one minutes, forty-five and eight tenths seconds ($78^{\circ} 21' 45.8''$) East along said Southerly line of Alley, a distance of one hundred forty and fifty one-hundredths (140.50) feet to a point in the Westerly line of Lot No. 568 of Hanna's Addition to the City of Fort Wayne;

Thence North no degrees, thirty-nine minutes and twenty-one seconds ($0^{\circ} 39' 21''$) West along said Westerly line of Lot No. 568 of Hanna's Addition, a distance of fourteen and sixty-two one-hundredths (14.62) feet to the Northeast corner of said Alley, the same being the Southeast corner of Sublot No. 4 in Block 3 of Ewing's Addition to the City of Fort Wayne;

Thence Southwesterly and parallel to the first course herein described and fourteen (14) feet, by right angle measurement, Northerly thereof, a distance of one hundred forty-three and twenty-five one-hundredths (143.25) feet to a point in the said Easterly line of Webster Street, said point being the Southwest corner of Sublot No. 6 in Block 3 of Ewing's Addition to the City of Fort Wayne;

Thence South eleven degrees, forty-eight minutes, four and six tenths seconds ($11^{\circ} 48' 04.6''$) East, a distance of fourteen (14) feet to the point of beginning; containing an area of one thousand nine hundred and eighty-six (1,986) square feet of land, be the same more or less.

PARCEL NO. 6

(PART OF ALLEY EAST OF WEBSTER STREET)

Commencing at a point which is the Southeast corner of Sublot No. 1 in Trentman's Addition to the City of Fort Wayne;

Thence South sixty-three degrees, forty-eight minutes, eight and six tenths seconds ($63^{\circ} 48' 08.6''$) West along the Southerly line of said Sublot No. 1, a distance of seventy-two and fifty-six one-hundredths (72.56) feet to a point in the Easterly line of said Alley to be vacated, being also the Southwest corner of said Sublot No. 1 and the principal point of beginning;

Thence North eleven degrees, forty minutes and twenty-one seconds ($11^{\circ} 40' 21''$) West along said Easterly line of Alley, a distance of eighty (80) feet to the Northwest corner of Sublot No. 2 in Trentman's Addition to the City of Fort Wayne;

Thence South seventy-eight degrees, twenty-one minutes, forty-five and eight tenths seconds ($78^{\circ} 21' 45.8''$) West, a distance of ten (10) feet to a point in the Westerly line of said Alley;

Thence South eleven degrees, forty minutes and twenty-one seconds ($11^{\circ} 40' 21''$) East along said Westerly line of said Alley, a distance of ninety-six and seventeen one-hundredths (96.17) feet to the Southeast corner of Lot 568 in Hanna's Addition to the City of Fort Wayne;

Thence North sixty-three degrees, forty-eight minutes, eight and six tenths seconds ($63^{\circ} 48' 8.6''$) East, a distance of ten and fifty-two one-hundredths (10.52) feet to the principal point of beginning; containing an area of eight hundred and eighty (880) square feet of land, be the same more or less.

PARCEL NO. 7

(Part of Alley east of Lot 565, Hanna's Addition)

Being all that portion of an Alley, ten (10) feet wide as originally established and located between Lot No. 565 of Hanna's Addition to the City of Fort Wayne on the West and Lot No. 17 in the Original Plot of the Town (now City) of Fort Wayne on the East, and bounded on the North by the Northerly line of a parcel of land conveyed by Helen I. Trautman to The New York, Chicago and St. Louis Railroad Company by deed dated June 18, 1954, recorded in Volume 482, Page 119-120, of Allen County Deed Records, and bounded on the South by the Southerly boundary of the above described conveyance.

The intention of this conveyance being to vacate a portion of said ten (10) foot Alley, for a distance of twenty-three (23) feet, more or less, thru that parcel of land conveyed by Helen I. Trautman as aforesaid, and contains an area of two hundred and thirty (230) square feet of land, be the same more or less, but is subject to all legal highways.

PARCEL NO. 8 (GREELEY STREET)

(EAST OF WEBSTER STREET)

Beginning at a point in the Easterly line of Webster Street, sixty-six (66) feet wide at this location, which is also the Southwest corner of Lot No. 7 in Block 3 of Ewings Addition to the City of Fort Wayne and is marked by an iron pin;

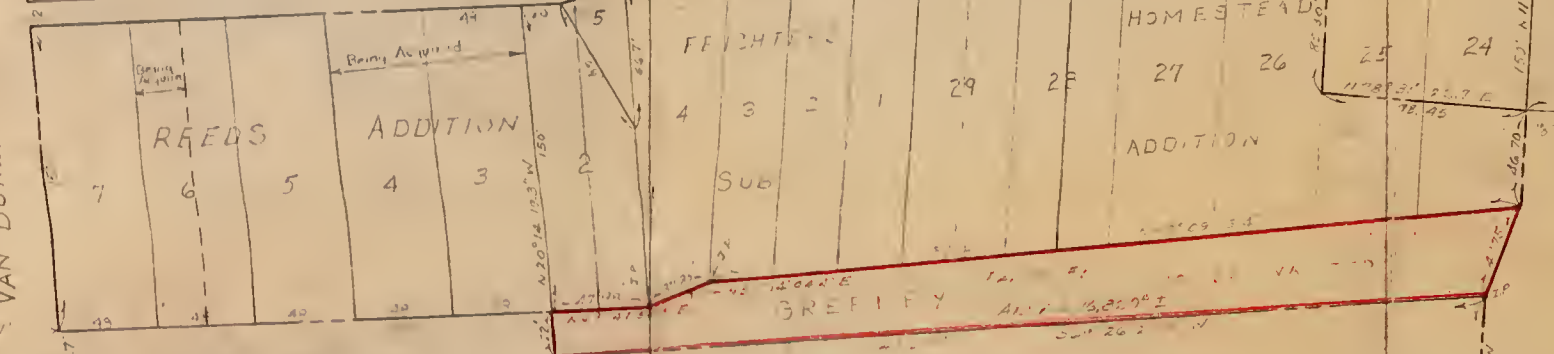
Thence South eleven degrees, forty-eight minutes, four and six tenths seconds ($11^{\circ} 48' 04.6''$) East along the Easterly line of Webster Street, a distance of nineteen and forty-two one-hundredths (19.42) feet;

Thence North sixty-nine degrees, fifteen minutes, eleven and six tenths seconds ($69^{\circ} 15' 11.6''$) East, a distance of one hundred twenty-two and sixty-seven one-hundredths (122.67) feet to a point which is the Southeast corner of Lot No. 9 in Block 3 of Ewings Addition to the City of Fort Wayne;

Thence South seventy-eight degrees, twenty-one minutes, forty-five and eight tenths seconds ($78^{\circ} 21' 45.8''$) West along the Southerly line of Lots 7 to 9 inclusive, in Block 3 of Ewings Addition to the City of Fort Wayne, a distance of one hundred twenty-one and eighteen one-hundredths (121.18) feet to the point of beginning; containing an area of one thousand, one hundred seventy-seven (1,177) square feet of land, be the same more or less.

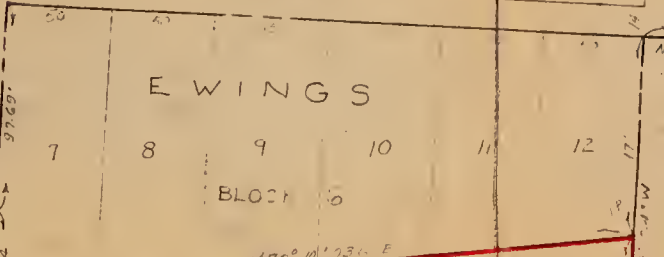
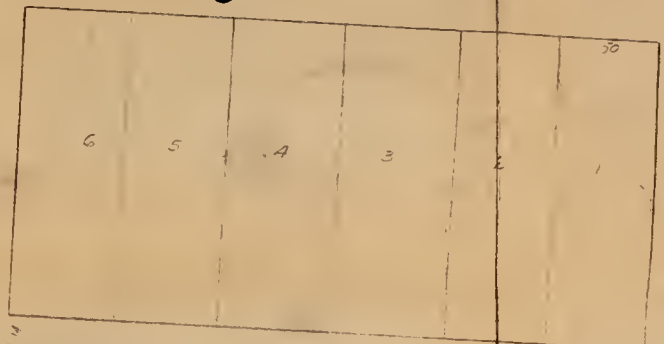
STREET 50

VAN BUREN

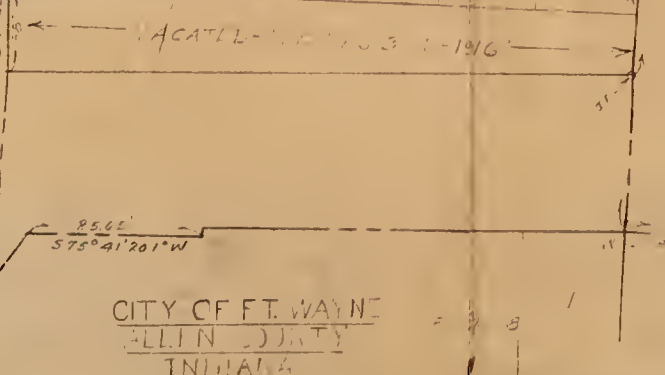
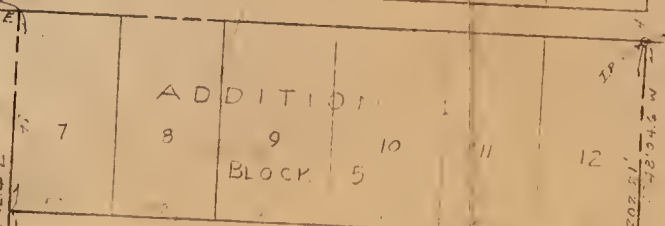
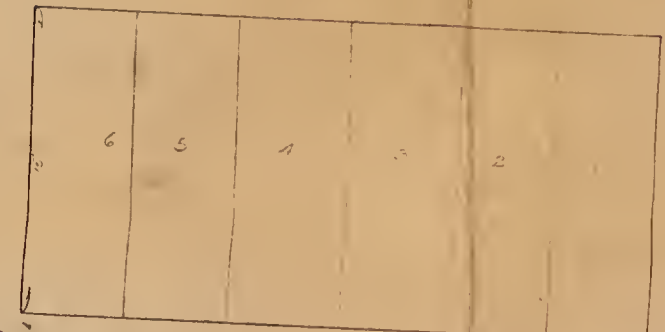


STREET 50

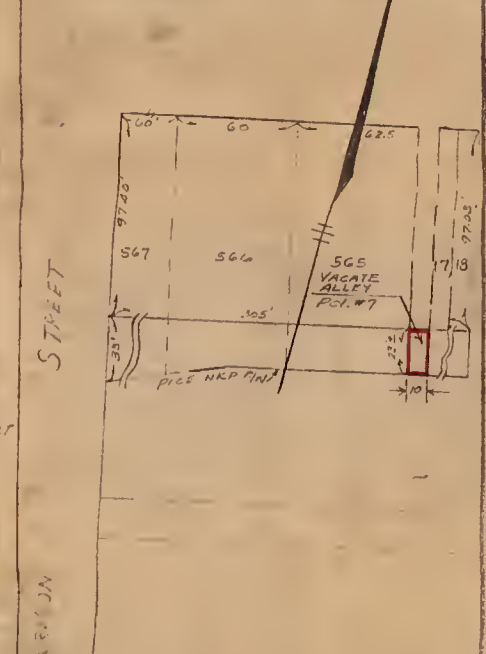
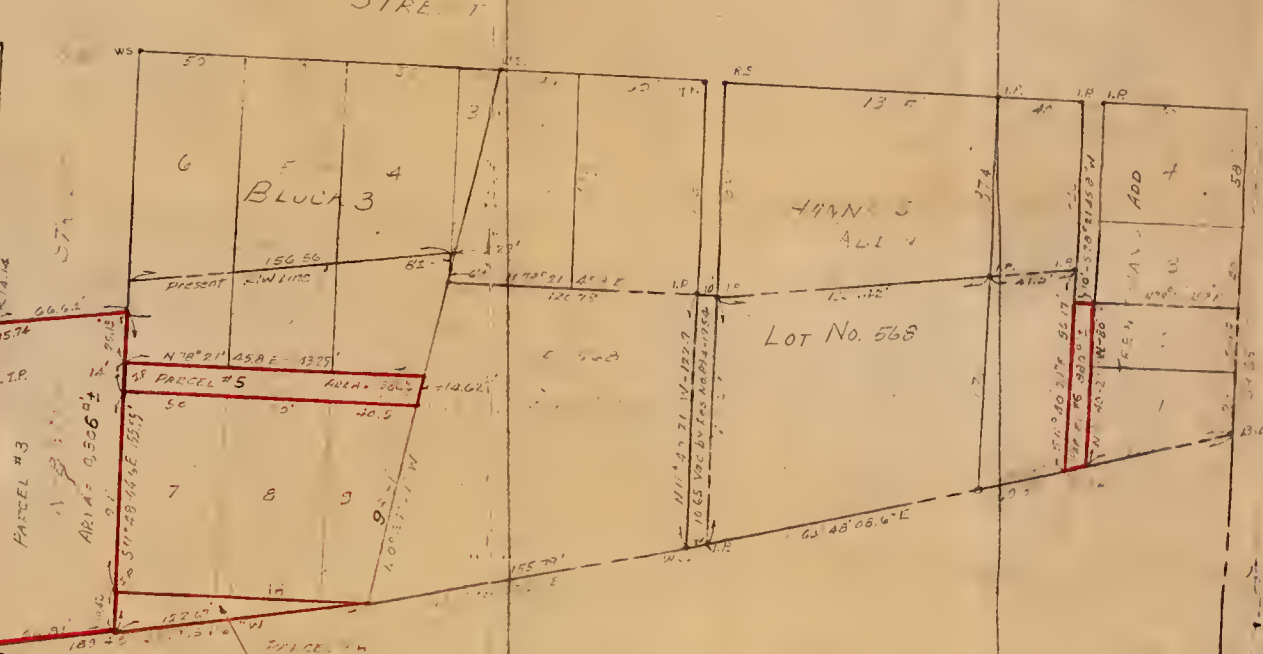
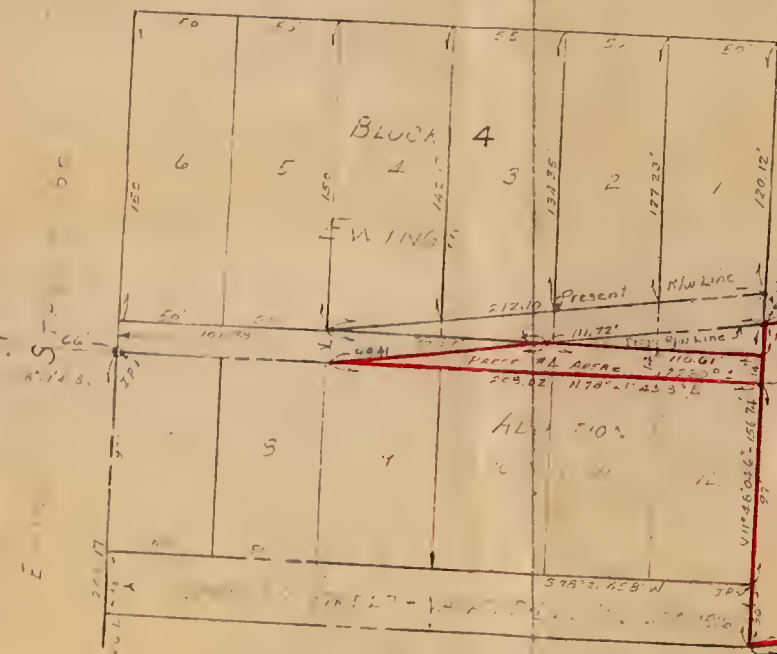
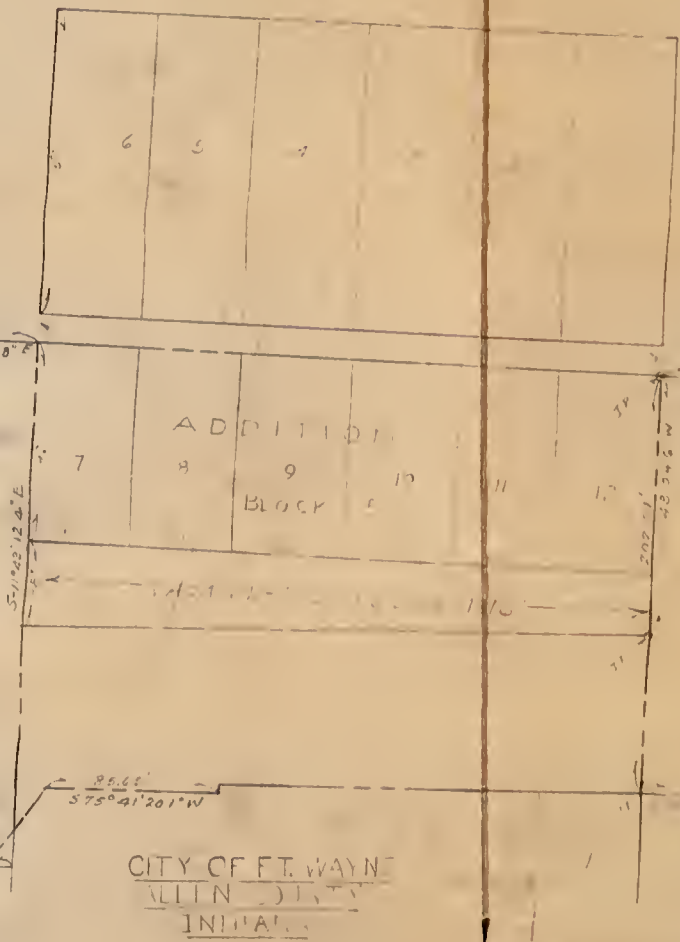
FULTON



AVENUE 66



CITY OF FT. WAYNE
ALLIN COUNTY
INITIALS



APPROVED: Chauncey R. McAnis Jan. 4, 1955
 City Engineer - Fort Wayne, Indiana
Howard R. McAnis Jan. 6, 1955
 Chief Engineer, The New York, Chicago and St. Louis Railroad Company

1"=50'
 9-3-54
 371.23

PETITION

Fort Wayne, Ind., _____

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real

estate on _____, from

to

respectfully petition for the passage of a resolution providing for the

[illegible]

VACATION

NY Chicago & St Louis T.P.

Petition for Passage

of a Resolution for

vacation of those portions
of the streets and alleys
in connection with the

Fort Wayne Grade Crossing
Regeneration Project, more
set out in "Parcels
"No. 1" to "Parcel No. 8"
inclusive.

from

to

Filed with the Board of Public Works

R.Y.A. reported.

Ordered: Jan. 11, 1955

